

NOTICE TO THE UNITED STATES  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION  
OF MULTICIRCUIT PETITIONS FOR REVIEW

IN RE: NATIONAL HIGHWAY TRAFFIC  
SAFETY ADMINISTRATION,  
DEPARTMENT OF TRANSPORTATION,  
*RESETTING THE CORPORATE  
AVERAGE FUEL ECONOMY PROGRAM*,  
90 FED. REG. 24,518 (JUNE 11, 2025)

MCP No. \_\_\_\_\_

UNITED STATES COURT OF APPEALS  
FOR DISTRICT OF COLUMBIA CIRCUIT

JUL -3 2025

RECEIVED

**NOTICE OF MULTICIRCUIT PETITIONS FOR REVIEW**

Pursuant to 28 U.S.C. § 2112(a)(3) and the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, the National Highway Traffic Safety Administration and the U.S. Department of Transportation hereby notify the Judicial Panel on Multidistrict Litigation of two petitions for review of the same agency interpretive rule. *See Resetting the Corporate Average Fuel Economy Program*, 90 Fed. Reg. 24,518 (June 11, 2025). Petitions for review were filed in two different courts of appeals—the First and District of Columbia Circuits—within ten days after issuance of the rule and received by the agency from the petitioners within the applicable ten-day period. 28 U.S.C. § 2112(a)(1) & (3).

As required by Panel Rule 25.2, we submit with this notice: (1) a schedule listing the petitions for review filed within the relevant courts of appeals; (2) copies of each petition; and (3) the rule the petitioners are challenging. In accordance with Panel Rule 25.3, as indicated in the attached proof of service, respondents are serving this notice on the clerks of the courts where petitions for review have been filed as well as on counsel for all parties in the circuit petitions for review.

Respectfully submitted,

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/s/ Steven H. Hazel

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*Transportation, Sean Patrick*

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July 1, 2025

**SCHEDULE REQUIRED BY RULE 25.2 OF THE  
RULES OF PROCEDURE OF THE UNITED STATES  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**The challenged rule was posted for public inspection on June 10, 2025, and published in the Federal Register on June 11, 2025.**

<b>Case Name</b>	<b>Circuit Court</b>	<b>Case No.</b>	<b>Filing Date</b>	<b>Date Received By Agency</b>
City of Chicago, IL; City of Los Angeles; City of New York; Commonwealth of Massachusetts; District of Columbia; State of Arizona, State of California; State of Colorado; State of Connecticut; State of Delaware; State of Hawaii; State of Illinois; State of Maine; State of Maryland; State of Minnesota; State of New Jersey; State of New Mexico; State of New York; State of Oregon; State of Rhode Island; State of Washington; State of Wisconsin v. United States National Highway Traffic Safety Administration; Peter Simshauser, in his	First Circuit	25-1595	6/20/2025	6/20/2025

official capacity as Deputy Administrator of the National Highway Traffic Safety Administration; Sean Patrick Duffy, in his official capacity as Secretary of the United States Department of Transportation				
Center for Biological Diversity; Environmental Defense Fund; Natural Resources Defense Council; Sierra Club v. United States National Highway Traffic Safety Administration; Peter Simshauser, in his official capacity as Deputy Administrator of the National Highway Traffic Safety Administration; Sean Patrick Duffy, in his official capacity as Secretary of the United States Department of Transportation	District of Columbia Circuit	25-1147	6/20/2025	6/20/2025

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July 1, 2025

## PROOF OF SERVICE

I hereby certify that on July 1, 2025, a copy of the foregoing Notice of Multicircuit Petitions for Review<sup>1</sup> was served by mail or third-party commercial carrier to the following courts:

Office of the Clerk  
U.S. Court of Appeals for the First Circuit  
U.S. Courthouse  
1 Courthouse Way, Suite 2500  
Boston, MA 02210

Clifton Cislak  
Clerk of the Court  
U.S. Court of Appeals for the District of Columbia Circuit  
E. Barrett Prettyman U.S. Courthouse  
333 Constitution Avenue N.W.  
Washington, DC 20001

Copies of the foregoing were also sent by mail or third-party commercial carrier to the following counsel:

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<sup>1</sup> The service copies sent to the courts of appeals and counsel do not include the attachment of the rule under review.

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July 1, 2025



U.S. Department

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Filed: 07/03/2025

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